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PATENT APPLICATION TPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in Re Patent Application of:

Inventor(s):

Giffin, et al.

Filed:

6/23/2001

Serial No.:

09/891.005

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Examiner:

Nguyen, Quang N.

Examiner:
Docket Number:

SNY-P4260

Title:

Wireless Streaming Audio System

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING/ EXPRESS MAILING / FAX TRANSMISSION

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JERRY A. MILLER Reg. No. 30,779

(Applicant, Assignee or Reg. Representative)

INFORMATION DISCLOSURE STATEMENT

Sir:

The undersigned submits herewith patents, publications or other information (enclosed herewith and/or listed on the enclosed "Information Disclosure Statement" form) of which he is aware, which he believes is relevant and may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR §1.56. The order of listing of the references on the attached form and any appendix hereto is without regard for relative relevance to the present invention.

This Information Disclosure Statement is submitted:

[] Under 37 CFR §1.97(b).

(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; or before the mailing date of a first office action after filing an RCE)

[X]	Under	37 CFR §1.97(c).
	[X]	Below is a statement under 37 CFR §1.97(e), or
	ĺĺ	An IDS submission fee under 37 CFR §1.17(p).
	•	(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first. Either a statement under 37 CFR 1.97(e) or an IDS submission fee under section 1.17(p) is required.)
[]	Under	37 CFR §1.97(d).
	[]	Below is a statement under 37 CFR §1.97(e), and
	[]	An IDS submission fee under 37 CFR §1.17(p).
		(Filed after the period of 37 CFR §1.97(c) final action or notice of allowance, whichever
		occurs first, but before payment of the issue fee)

The undersigned hereby certifies under 37 CFR §1.97(e) that:

- [] Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- [X] No item of information contained in the Information Disclosure Statement
 -- was cited in a communication from a foreign patent office in a counterpart
 - foreign application, and
 -- to the knowledge of the undersigned, after making reasonable inquiry, was known to an individual designated in 37 CFR §1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

A concise explanation of relevance of the items listed on the attached form:

- [X] Additional information is provided in an appendix to this communication.
- [] Appears in the body of the application.
- [] Is given for non-English language listed item(s) [Required] and appears in an appendix to this communication.
- [] Is in the form of an English language copy of a Search Report (copy attached) from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, this statement does not constitute an admission that any patent, publication or other information referred to therein is "prior art" or "material" to this invention or any application for patent for this invention.

In accordance with 37 CFR §1.97, the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that other information that may be material as defined in 37 CFR §1.56 exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.97 and §1.98 and MPEP §609. The

Examiner is requested to fully consider each of these references and acknowledge such consideration by appropriately initialing the attached form and returning a copy to the address below. In addition, the Examiner is requested to conduct a thorough independent search in order to bring the best references available forward in this application.

[X]	l No	fee is	believed	to be	required	for this	IDS.
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- [] A check for the above fees is enclosed.
- [] Please charge the IDS fee of \$ 130 under 37 CFR §1.17(h) to my credit card. See the enclosed credit card charge authorization form.
- [X] The commissioner is hereby authorized to charge any additional fees which may be required for this submission, or credit any overpayment to my Deposit Account No. <u>50-1267</u>.

Respectfully submitted,

Jerry A. Millér

Registration No. 30,779

Dated: 8/2/2005

Please Send Correspondence to: <u>CUSTOMER NUMBER 24337</u> Miller Patent Services 2500 Dockery Lane

Raleigh, NC 27606 Phone: (919)-816-9981 Fax: (919)-816-9982

APPENDIX

Applicants' representatives recently became aware of a family of applications filed by another inventive entity (employed by an assignee of the present application) for subject matter that may be relevant to the present application. The members of this patent family, along with all art cited in the patent family, are listed on the attached listing. The undersigned has not reviewed these documents in detail, but wishes to assure that the relationship is disclosed for consideration by the Examiner. Translation of foreign documents were obtained from the Japanese patent office web site and are believed to be machine translations. Since this IDS contains multiple foreign references and translations thereof, Applicants are submitting this IDS by mail approximately simultaneously with an Office Action Response submitted by fax, and requests consideration of this IDS prior to further action on the merits.

The Chinese and Korean references appear to be redundant to one of the Japanese references as noted on the attached form, and thus the translation of the Japanese reference is believed to be sufficient. The potentially related applications owned by a common assignee appear at the beginning of the listing and are designated by an *.

INFORMATION DISCLOSURE STATEMENT

Application No.: 09/891,005	Sheet 1 of 4
Docket No.: SNY-P4260	Group:
Filed: 06/25/2001	Conf. No.:

Applicant: Michael Shawn Giffin

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Examiner:		Date:

INFORMATION DISCLOSURE STATEMENT
 Application No.: 09/891,005
 Sheet 2 of 4

 Docket No.: SNY-P4260
 Group:

 Filed: 06/25/2001
 Conf. No.:

Applicant: Michael Shawn Giffin

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Examiner:	Date:

INFORMATION DISCLOSURE STATEMENT
 Application No.: 09/891,005
 Sheet 3 of 4

 Docket No.: SNY-P4260
 Group:

 Filed: 06/25/2001
 Conf. No.:

Applicant: Michael Shawn Giffin

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	09/073480	03/18/1997	Japan		Yes
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	108/172437	07/02/1996	Japan		Yes

Examiner:	Date:

INFORMATION	Application No.: 09/891,005	Sheet 4 of 4
DISCLOSURE	Docket No.: SNY-P4260	Group:
STATEMENT	Filed: 06/25/2001	Conf. No.:
	Applicant: Michael Shawn Giffin	

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	Carl FENGER et al., "The Fantastic Broadband Multimedia System," Software Platform Description, XP-002258083, 31 May 2000, pages 1-23			
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Examiner:	Date:

^{*} related applications